



PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Eberhard FRITZ and Gerd PHILLIPPS

Appln. No.: 10/018,623

Group Art Unit: 3736

Filed: December 18, 2001

Examiner:

For: RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT

Attorney Docket No.: 3993.002

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97 and §1.98

RECEIVED  
JUN - 3 2002  
TECHNOLOGY CENTER (PTO)

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the following documents for the above-identified application which were cited by the European Searcher in the International Search Report of the PCT application (PCT/EP00/05632). Copies of the documents set forth below and listed on the attached Form PTO-1449, and copies of the search reports, are provided herewith.

1. World 97 18012 A
2. U.S. Patent No. 5,833,593
3. U.S. Patent No. 5,199,939
4. European Patent No. 0 993 843 A2
5. German Patent No. DE 281 869 C

Documents 1, 2 and 4 were cited as relevant "X" type references.

Documents 3 and 5 were cited as state of the art "A" type references.

Document 4 was classified as published prior to the international filing date but later than the priority date, as a "P" type reference.

Document 5

German Patent No. 281 869 (Briede) entitled ``Packaging for healing substances, particularly radioactive substances'' published on February 3, 1915.

Applicants are not aware of any English language documents corresponding to the German language document. Claim 1 of Document 1 is translated as follows:

A packaging for healing substances, in particular radioactive substances, thereby characterized, that these substances in gas, solid or liquid form are encapsulated in capsules, which capsules are made of or coated with a magnetizable metal, such that after having been swallowed or otherwise introduced they can be magnetically moved from the outside of the human body and held fast in any desired position.

The present Information Disclosure Statement is being filed after three months from the application's filing date but before the mailing date of the first Office Action on the merits, therefore no Certification Under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to

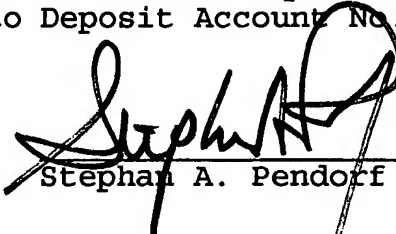
U.S. PATENT APPLICATION  
SERIAL NO.: 10/018,623  
INFORMATION DISCLOSURE STATEMENT

ATTY DOCK: 3993.002

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that the foregoing INFORMATION DISCLOSURE STATEMENT Form PTO-1449, including five documents, for U.S. Application No. 10/018,623 filed December 18, 2001, were deposited in first class U.S. mail, postage prepaid, Washington, D.C. 20231, on May 24, 2002.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
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Stephan A. Pendorf